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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,940	01/15/2004	Stephen G. Moore	14846-25	4644

7590 05/11/2009  
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EXAMINER
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CHEUNG, MARY DA ZHI WANG

ART UNIT	PAPER NUMBER
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3694

MAIL DATE	DELIVERY MODE
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05/11/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/757,940	<b>Applicant(s)</b> MOORE ET AL.	
	<b>Examiner</b> MARY CHEUNG	<b>Art Unit</b> 3694	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is responsive to amendment filed on February 26, 2009. Claims 1-16 are pending and examiner below. Claim 1, 7 and 16 are amended.

#### ***Response to Arguments***

2. Applicant's arguments filed on February 26, 2009 have been fully considered but they are not persuasive.

With respect to the applicant's argument that Potter does not teach or suggest "providing a user input for manually entering pricing data", the examiner respectfully disagrees because Potter teaches the user manually entering trading currency amount that corresponds to this limitation. Furthermore, the examiner would like to point out that "pricing data" is not functional descriptive material; therefore, it bears no patentable weight (see MPEP 2106.01 and 2106.02).

With respect to Applicant's argument that the dependent claims are allowable for their incorporation of subject matter claimed in the independent claims, Examiner disagrees in light of the discussion above.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4-7 and 12-16 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 5,787,402 to Potter (Potter).

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With respect to claim 1

Potter teaches:

A computer implemented method for pricing a trade comprising:

providing a user input capable of entry of trade data (inputting information, see col 3, line 22);

providing a structure capable of receiving said trade data (new order entry screen, see col 13, lines 34-43 and Fig 24);

providing a user input capable of manually entry of pricing data, wherein pricing data manually entered by the user added to said structure (column 7 lines 35-36 and Fig. 5; *"manually entry of pricing data" corresponds to the trading currency amount entered by the user*) and pricing data not manually entered by the user is received by said structure from a pricing system (column 12 lines 40-44; *"pricing data not manually entered by the user" corresponds to the automatically executed pricing that within the user specified parameters*); and

displaying said structure with said trade data including pricing information (when the rate is received, the Term of the currency will be displayed, see col 8, lines 1-5).

With respect to claims 4 and 12

Potter teaches:

providing a user input for entering one or more trades comprises translating data representing one or more trades from a user treasury system into a form suitable

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for use in said structure (inputting information, see col 3, line 22. Note that the input action translates the conceptual order, including the goals and aims of the purchaser, into the specific inputs to be processed by the system).

With respect to claims 5 and 13

Potter teaches:

A method in accordance with claim 1 (see rejection of claim 1 above) wherein displaying said structure comprises translating data from said structure into data representing one or more trades in a user treasury system (transaction view, see col 10, lines 51-60 and Fig 18).

With respect to claim 6

Potter teaches:

wherein providing a user input for entering trade data comprises providing a user input for entering trade data directly into said structure (various terminals, see col 3, lines 20-26).

With respect to claim 7

See rationale support the rejection of claim 1 above.

With respect to claim 14

Potter teaches:

storing said trade data at said pricing system (stores a time-stamped copy of the rate quotation, see col 7, lines 53-56).

With respect to claim 15

Potter teaches:

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executing one or more trades using said trade data stored at said pricing system (the FX Trade Server sends a copy of the trade to the Multibank Confirmation and Settlement System, see col 8, lines 19-67).

With respect to claim 16

Potter teaches:

A computer implemented method for pricing a trade comprising:

providing a user input capable of entry of trade data (inputting information, see col 3, line 22);

providing a structure capable of receiving said trade data (new order entry screen, see col 13, lines 34-43 and Fig 24);

providing a user input capable of manually entry of pricing data, wherein pricing data manually entered by the user is added to said structure (column 7 lines 35-36 and Fig. 5; *“manually entry of pricing data” corresponds to the trading currency amount entered by the user*), and displayed wit said trade data including pricing information devoid of encrypting and decrypting of said structure on a computer screen (Figs. 15-16; note there is no encryption or decryption taking place); and wherein pricing data not manually entered by the user is received by said structure from a pricing system (column 12 lines 40-44; *“pricing data not manually entered by the user” corresponds to the automatically executed pricing that within the user specified parameters*); and

displaying said structure with said trade data including pricing information (when the rate is received, the Term of the currency will be displayed, see col 8, lines 1-5).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 2-3 and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Potter in view of US Patent Application Publication 2002/0156719 to Finebaum (Finebaum).

With respect to claim 2

Potter teaches:

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A method in accordance with claim 1 (see rejection of claim 1 above), but does not explicitly teach further comprising: encrypting said structure before transmitting said structure to a pricing system.

Finebaum teaches:

further comprising: encrypting said structure before transmitting said structure to a pricing system (see par 31 and 50).

It would have been obvious to one having ordinary skill in the art at the time of Applicant's invention to have provided Potter with the encryption features taught by Finebaum in order to have allowed only authorized users to access the system as taught explicitly by Finebaum (see par 31).

With respect to claim 3

Potter in view of Finebaum teaches:

A method in accordance with claim 1 (see rejection of claim 1 above) further comprising: decrypting said structure after receiving said structure from said pricing system (see Finebaum par 31 and 50, note that it is inherent in an encrypted communication system that the intended receiver of the communication decrypt it.)

(see rational supporting obviousness and motivation to combine of claim 2 above).

With respect to claim 8

Potter in view of Finebaum teaches:

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A method in accordance with claim 7 (see rejection of claim 7 above) further comprising: encrypting said structure at said user system before transmitting said structure to said pricing system (see Finebaum, par 31 and 50).

(see rational supporting obviousness and motivation to combine of claim 2 above).

With respect to claim 9

Potter in view of Finebaum teaches:

A method in accordance with claim 8 (see rejection of claim 8 above) further comprising: decrypting said structure at said pricing system after receiving said structure from said user system. (see Finebaum par 31 and 50, note that it is inherent in an encrypted communication system that the intended receiver of the communication decrypt it.)

(see rational supporting obviousness and motivation to combine of claim 2 above)

With respect to claim 10

Potter in view of Finebaum teaches:

A method in accordance with claim 7 (see rejection of claim 7 above) further comprising: encrypting said structure at said pricing system before transmitting said structure to said user system(see Finebaum, par 31 and 50).

(see rational supporting obviousness and motivation to combine of claim 2 above)..

With respect to claim 11

Potter in view of Finebaum teaches:

A method in accordance with claim 10 (see rejection of claim 10 above) further comprising: decrypting said structure at said user system after receiving said

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structure from said pricing system. (see Finebaum par 31 and 50, note that it is inherent in an encrypted communication system that the intended receiver of the communication decrypt it.)

(see rational supporting obviousness and motivation to combine of claim 2 above)

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### ***Inquire***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (571)-272-6705. The examiner can normally be reached on Monday – Thursday from 10:00 AM to

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7:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (571) 272-6712.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

The fax phone numbers for the organization where this application or proceedings is assigned are as follows:

(571) 273-8300      (Official Communications; including After Final  
Communications labeled "BOX AF")

(571) 273-6705      (Draft Communications)

/Mary Cheung/  
Primary Examiner, Art Unit 3694  
May 8, 2009